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8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

10 SFR INVESTMENTS POOL 1, LLC,

11 Plaintiff,

12 vs.

13 NEWREZ LLC D/B/A SHELLPOINT
14 MORTGAGE SERVICING; DOES I through
15 X; ROE BUSINESS ENTITIES I through X,
16 inclusive,

17 Defendants.

18 NEWREZ LLC D/B/A SHELLPOINT
19 MORTGAGE SERVICING,

20 Counterclaimant,

21 vs.

22 SFR INVESTMENTS POOL 1, LLC,

23 Counterdefendant

Case No.: 2:22-cv-00411-JAD-DJA

STIPULATED PROTECTIVE ORDER

25 COME NOW Non-party Bank of America, N.A., Plaintiff/Counterdefendant SFR
26 Investments Pool 1, LLC and Defendant/Counterclaimant Newrez LLC dba. Shellpoint Mortgage
27 Servicing, by and through their respective counsels of record, and hereby stipulate and agree as
28 follows:

1. Any party or non-party may designate as "confidential" (by stamping the relevant page or as otherwise set forth herein) any document or response to discovery which that party or non-party considers in good faith to contain nonpublic personal information ("NPI") as defined by Gramm-Leach-Bliley Act, 15 U.S.C. §§ 6801-6809 et seq. ("Confidential Information"). Where a document or response consists of more than one page, the first page and each page on which Confidential Information appears shall be so designated.

2. A party or non-party may designate information disclosed during a deposition or in response to written discovery as "confidential:" by so indicating in said response or on the record at the deposition and requesting the preparation of a separate transcript of such material. Additionally, a party or non-party may designate in writing, within twenty (20) days after receipt of said responses or of the deposition transcript for which the designation is proposed, that specific pages of the transcript and/or specific responses be treated as "confidential" information. Any other party may object to such proposal, in writing or on the record. Upon such objection, the parties shall follow the procedures described in paragraph 8 below. After any designation made according to the procedure set forth in this paragraph, the designated documents or information shall be treated according to the designation until the matter is resolved according to the procedures described in paragraph 8 below, and counsel for all parties shall be responsible for making all previously unmarked copies of the designated material in their possession or control with the specified designation.

3. All information produced or exchanged in the course of this case (other than information that is publicly available) shall be used by the party or parties to whom the information is produced solely for the purpose of this case.

4. Except with the prior written consent of the other parties, or upon prior order of this Court obtained with notice to opposing counsel, Confidential Information shall not be disclosed to any person other than:

- (a) counsel for the respective parties in this litigation, including in-house counsel and co-counsel retained for this litigation;
- (b) employees of such counsel;

1 (c) individual parties, class representatives, any officer or employee of a party,
2 to the extent deemed necessary by Counsel for the prosecution of this
3 litigation;

4 (d) consultants or expert witnesses retained for the prosecution or defense of
5 this litigation, provided that each such person shall execute a copy of the
6 Certification attached to this Order as **Exhibit A** (which shall be retained
7 by counsel to the party so disclosing the Confidential Information and made
8 available for inspection by opposing counsel during the pendency or after
9 the termination of the action only upon good cause shown and upon order
10 of the Court) before being shown or given any Confidential Information and
11 provided that if the party chooses a consultant or expert employed by a
12 corporate defendant or one of its competitors, the party shall notify the
13 opposing party, or designating non-party, before disclosing any
14 Confidential Information to that individual and shall give the opposing party
15 an opportunity to move for a protective order preventing or limiting such
16 disclosure;

17 (e) any authors or recipients of the Confidential Information;

18 (f) the Court, personnel, and court reports; and

19 (g) witnesses (other than persons described in paragraph 4(e).) A witness shall
20 sign the Certification before being shown a confidential document.
21 Confidential Information may be disclosed to a witness who will not sign
22 the Certification only in a deposition at which the party who designated the
23 Confidential Information is represented or has been given notice that
24 Confidential Information shall be designated “Confidential” pursuant to
25 paragraph 2 above. Witnesses shown Confidential Information shall not be
26 allowed to retain copies.

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1 5. Any persons receiving Confidential Information shall not reveal or discuss such
2 information to or with any person who is not entitled to receive such information, except as set
3 forth herein.

4 6. Unless otherwise permitted by statute, rule, or prior Court Order, papers filed with
5 the Court under seal shall be accompanied by a contemporaneous motion for leave to file those
6 documents under seal and shall be filed consistent with the Court's electronic filing procedures.
7 Notwithstanding any agreement among the parties, the party seeking to file a paper under seal
8 bears the burden of overcoming the presumption in favor of public access to papers filed in court.
9 *See Kamakana v. City & Cnty. of Honolulu*, 447 F.3d 1172, 1178 (9th Cir. 2006).

10 7. A party may designate as "confidential" documents or discovery materials
11 produced by a non-party by providing written notice to all parties of the relevant document
12 numbers or other identification within thirty (30) days after receiving such documents or
13 discovery materials. Any party or non-party may voluntarily disclose to others without
14 restriction any information designated by that party or non-party as confidential, although a
15 document may lose its confidential status if it is made public.

16 8. Any party objecting to a designation of Confidential Information, including
17 objections to portions of designations of multi-page documents, shall notify the designating party
18 and all other parties of the objection in writing up to and through trial of the matter. This notice
19 must specifically identify each document that the objecting party in good faith believes should not
20 be designated as Confidential Information and provide a brief statement of the grounds for such
21 belief. In accordance with the Federal Rules of Civil Procedure governing discovery disputes, the
22 objecting and the designating parties thereafter shall confer within ten (10) days after the date of
23 such objection in an attempt to resolve their differences. If the parties are unable to resolve their
24 differences, the objecting party may after the conference concludes file with the Court a motion
25 to remove the Confidential Information.

26 9. Notwithstanding any challenge to the designation of material as Confidential
27 Information, all documents shall be treated as such and shall be subject to the provisions hereof
28 unless and until one of the following occurs:

- (a) the party or non-party claims that the material is Confidential Information withdraws such designation in writing; or
- (b) the Court rules the material is not confidential.

4 10. All provisions of this Order restricting the communication or use of Confidential
5 Information shall continue to be binding after the conclusion of this action, unless otherwise agreed
6 or ordered. Upon conclusion of the litigation, a party in the possession of Confidential
7 Information, other than that which is contained in pleadings, correspondence, and deposition
8 transcripts, shall either (a) return such documents no later than thirty (30) days after conclusion of
9 the action to counsel for the party or non-party, or (b) destroy such documents within the same
10 time period.

11 11. The terms of this Stipulation and Order do not preclude, limit, restrict or otherwise
12 apply to the use of documents at trial.

13 12. Nothing herein shall be deemed to waive any applicable privilege or work product
14 protection, or to affect the ability of a party to seek relief for an inadvertent disclosure of material
15 protected by privilege or work product protection.

16 13. Any witness or other person, firm, or entity from which is discovery is sought may
17 be informed of and may obtain the protection of this Order by written advice to the parties'
18 respective counselor by oral advice at the time of any deposition or similar proceeding.

Exhibit A

21 I, _____, have been advised by counsel of record for
22 _____ in _____
23 of the protective order governing the delivery, publication, and disclosure of confidential
documents and information produced in this litigation. I have read a copy of the protective order
and agree to abide by its terms.

Signed

Printed Name

Date

1 **IT IS SO STIPULATED.**

2 Dated this 23rd day of January, 2023.

3 WRIGHT, FINLAY & ZAK, LLP

5 /s/ Yanxiong Li

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Dated this 23rd day of January, 2023.

HANKS LAW GROUP

/s/ Karen L. Hanks

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12 Dated this 23rd day of January, 2023.

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23 *Mortgage Servicing*

22 **ORDER**

23 **IT IS SO ORDERED.**

24 
25 **UNITED STATES MAGISTRATE JUDGE**

26 DATED: January 25, 2023